

Prosecutors Say Stanasic Fit for Trial

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Court case delayed for six months due to suspect's ill health should now recommence, they say. Hague prosecutors have called for the trial of former Serb officials Jovica Stanasic and Franko Simatovic to resume following an improvement in the former's health.

The trial at the International Tribunal for the former Yugoslavia, ICTY, was suspended on May 16 after Stanasic was considered unfit to attend proceedings due to illness. He was suffering from osteoporosis, kidney stones, pouchitis and severe depression.

During the Yugoslav wars of the 1990s, Stanasic was an aide to the then Serbian president Slobodan Milosevic while Simatovic commanded specialist military forces.

Both men are accused of organising and training special units of the Serbian state security, DB, which carried out the persecution and forcible transfer of Bosnian Muslims, Bosnian Croats, Croats and other non-Serb civilians from Bosnia and Croatia between 1991 and 1995.

Having reviewed the latest medical reports of Stanasic, who is currently receiving medical treatment in Belgrade, the prosecution believes that he is now fit to attend proceedings in The Hague.

It cites the reports of gastroenterologists who now classify Stanasic's pouchitis, an intestinal condition, as "mild". Psychiatrists have also noted an improvement in his mental health, although they report that he remains severely depressed.

However, while Stanasic's doctors have reported "some improvement" in his health since he arrived in Belgrade on provisional release from the UN detention unit in The Hague on June 28, they also maintain that he suffers from a chronic disease with no permanent cure.

In their submission this week, prosecutors said that if judges rule that Stanasic should remain in Belgrade to continue receiving medical treatment, then he should follow proceedings from there via video-link.

"[This proposal] strikes the balance between the necessity of expediting the trial and taking reasonable precautions for the health of Mr Stanasic," they say.

According to the prosecution, Stanasic has been treated mostly as an out-patient while in Belgrade, yet has been hospitalised on several occasions, "coinciding with visits from the court-appointed [medical] experts".

"While there is disagreement among the various experts with respect to his long term prognosis... they are uniform in their assessment that he has achieved better physical and mental health over the course of the adjournment," the prosecution informed judges.

The trial of the two defendants began on April 28, with Stanisic following proceedings via video-link from the UN detention unit because he was too ill to attend court.

However, the appeals chamber ruled that this compromised the defendant's fundamental right to be present at his trial and adjourned proceedings. Stanisic has refused to waive his right to be present during the trial.

Only the prosecution's opening statement and the testimony of one witness have so far been heard in the case.

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